

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent Application of

Confirmation No.: 5531

Shingo FUKUI

Date: November 6, 2008

Serial No.: 10/767,780

Group Art Unit: 2163

Filed: January 28, 2004

Examiner: Patrick A. DARNO

For: FILE SYSTEM FOR MANAGING FILES IN TREE STRUCTURE
ALLOWING USERS TO READILY KNOW AVAILABILITY CONDITION

VIA EFS-WEB

Mail Stop Appeal Brief Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION AND FEE FOR AUTOMATIC EXTENSION OF TIME
UNDER 37 CFR 1.17, 1.136(a) AND 35 USC 41(a)8**

Sir:

Applicant(s) hereby petition(s) the Commissioner for Patents to extend the time for filing a response to the outstanding Office Action by one month. Credit card payment in the amount of \$130.00 is submitted via EFS-WEB for the petition fee in accordance with 37 CFR 1.17 computed as:

☒ Response within first month
☒ not small entity (\$130) ☐ ~~small entity (\$65)~~

You are authorized to charge to our Deposit Account No. 15-0700 any additional amounts owing.

If this petition is inadequate to avoid abandonment, the Commissioner for Patents is petitioned, under 37 C.F.R. §1.136(a), to extend the time by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE UNITED STATES
PATENT AND TRADEMARK OFFICE
EFS FILING SYSTEM
ON NOVEMBER 6, 2008



MAX MOSKOWITZ
Registration No.: 30,576
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700